



## UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. no. 10/711,810

Filed: 2004-10-06

Art unit: 3626

Confirmation no. 5809

Attorney docket no. MLCO.P006A

## RESPONSE TO NOTICE TO FILE MISSING PARTS

~~703-305-9823~~ 746-4060

This paper responds to the Notice to File Missing Parts dated November 29, 2004.

Enclosed please find Form PTO-2038 in the amount of \$4820 and Form PTO/SB/22.

By our calculation the fees due are:

two-month extension of time	\$450
late declaration surcharge	\$130
base filing fee	\$790
2 independent claims over three	\$400
61 total claims over twenty	\$3050
Total	\$4820

Any deficiency in fees due may be charged to our deposit account 15-0610.

The application lists nine inventors.


On December 7, 2005 the Patent Office received signed declarations for eight of the inventors, all except Barry Finkelstein. The eight declarations are of record in the Patent Office and may be seen in IFW.

Thus as of December 7, 2005 the only remaining declaration needed was that of Mr. Finkelstein.

Enclosed with this response is the signed declaration of Mr. Finkelstein.

It thus appears that all formal matters have been satisfied and that the application may be sent to the Examiner.

Respectfully submitted,

  
Carl Oppedahl  
PTO Reg. No. 32,746  
Oppedahl & Larson LLP

RECEIVED  
MAR 28 2005  
OIPE/JCWS



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/711,810	10/06/2004		MLCO.P006A

21121  
 OPPERDAHL AND LARSON LLP  
 P O BOX 5068  
 DILLON, CO 80435-5068

CONFIRMATION NO. 5809

## FORMALITIES LETTER



\*OC000000014622655\*

Date Mailed: 11/29/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The oath or declaration does not identify each inventor by full name, including the family name and at least one given name without abbreviation.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1274 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2194 for a Large Entity.

- \$790 Statutory basic filing fee.

03/28/2005 CNGUYEN 00000026 10711810

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1202	3050.00 OP
04 FC:1201	400.00 OP

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1274
  - \$176 for 2 independent claims over 3.
  - \$1098 for 61 total claims over 20.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
  - does not identify the residence (e.g., city and either state or foreign country) of each inventor.
  - does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

B. Habtemichael  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE